

Department of Environmental
and Development Services

Director
John Hudgins



Utilities Engineering and Operations
Development and Compliance
Building Regulation
Waste Management
Mosquito Control

September 22, 2004

CERTIFIED MAIL, RETURN RECEIPT REQUESTED, 7002 2410 0002 9011 6294

Southern Maryland Oil
Attn: John Binette, President
P O Box E
Laplata, MD 20646

Dear Mr. Binette:

RE: Violation of York County Code, Assessor's Parcel No. 37-59A; 600 Hampton Highway

Please take notice that subsequent to a recent inspection of the referenced property it has been found that several trees, which were located on this property along the Victory Boulevard (Route 171) frontage and was part of the landscaping required for this site, have been cut down and removed. Such activity has now caused the property to be in violation of the landscape standards of the County's Zoning Ordinance.

These changes to your site has now caused the property to violate Section 24.1-245(a) of the County Code in that a thirty-five feet (35') greenbelt shall be provided contiguous to the street right-of-way along Victory Boulevard (Route 171) and Hampton Highway (Route 134). Consequently, the greenbelt shall be left in an undisturbed natural state surrounding development or used as a buffer between land uses or to mark the edge of an urban or developed area, unless the board, after conducting a duly advertised public hearing, authorizes clearing or development.

You are hereby directed to within ten (10) days of receipt of this letter to apply to the Board of Supervisors for authorization (after the fact) for the tree removal that has occurred. There is a Special Exception application fee of \$200.00. You must include a professionally prepared landscape plan indicating replanting to occur within the greenbelt to compensate for tree removal. You can contact a member of the Planning Department at 890-3404 to obtain the application or for any questions on the application process.

Your failure to comply within the appointed time shall subject you to further legal action as prescribed by law being pursued. Upon conviction, you shall be subject to penalty for such violation as set forth in Section 24.1-109 of the Zoning Ordinance.

As the County is more interested in voluntary compliance, as opposed to prosecution, we are hopeful that your response will be prompt and positive. Should you desire to discuss this matter, please feel free to contact me at (757) 890-4982.

Sincerely,

Joycelyn Y. Corbin
Zoning and Code Enforcement Officer

JYC: mm
05-225

NOTICE

You have thirty (30) days in which to appeal this decision to the Board of Zoning Appeals, in accordance with Section 15.2-2311, Code of Virginia, or this decision shall be final and unappealable.

105 Service Drive • P.O. Box 532 • Yorktown, Virginia 23690-0532 • (757) 890-3750
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